

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 34723 of 2007(H)

PETITIONER:

GIRISH, S/O VELU,
NELLIKKUTH VEEDU,
KARIMBA AMSOM DESOM,
MANNARKKAD, PALAKKAD DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI

RESPONDENTS:

1. MALAPPURAM MUNICIPALITY, REPRESENTED BY
ITS SECRETARY, DOWNHILL, MALAPPURAM-676519.
2. SECRETARY,
MALAPPURAM MUNICIPALITY,
DOWNHILL, MALAPPURAM-676519.
3. T.SACHIDANANDAN, S/O GOPALAN,
TACHANCHERRY HOUSE, MUNDUPARAMBA,
MALAPPURAM-676509.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C). NO. 34723 OF 2007

Dated this the 23rd day of November, 2007

J U D G M E N T

The challenge in this writ petition is against Ext.P4 order of the Secretary of the Municipality by which a building, in which the petitioner has been conducting a toddy shop, is ordered to be demolished. The building belongs to the 3rd respondent and the petitioner is a tenant under the 3rd respondent. As rightly pointed out by the learned Government Pleader, who assisted me as amicus curiae, the impugned order is appealable to the Tribunal for local self government institutions.

I dispose of the writ petition relegating the petitioner to remedy by way of appeal before the Tribunal. However, there will be a direction to the Municipality not to enforce Ext.P4, for a period of three weeks from today.

PIUS C. KURIAKOSE, JUDGE

vps

